

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

CHAMBER SUMMONS NO. 1790 OF 2016

IN

SUIT NO. 3136 OF 2008

Padmaja U. Keer

.... Plaintiff

Vs.

Ankur A. Keer & Anr.

.. Defendants

Mr.G.S.Godbole, senior advocate i/b P.S. Shah for plaintiff/applicant.

Mr.Aneesh Deshpande i/b M/s. Tamhane and Co. for defendant nos.3 and 4.

Mr.Manoj Mane i/b C.N. Chavan for defendant no.6.

Ms.Asha Nair i/b Diamondwala and Co. for defendant nos.9 and 11 to 14.

CORAM : K.R.SHRIRAM, J.

DATE : 23RD JANUARY, 2017

P.C.

1 This chamber summons is to allow the plaintiff/applicant to produce in evidence the documents mentioned in Exh.'A' to the chamber summons.

2 The plaintiff has filed the affidavit of documents and also evidence but it appears that the documents mentioned in Exh.A to the chamber summons were missed out in the affidavit of documents and in the evidence filed also there is no explanation as to why leave should be granted to bring those documents in evidence as they have been missed out in the affidavit of documents.

3 Ms.Nair appearing for defendant nos.9 to 14 strongly opposes the
chamber summons. The counsel for defendant nos.3 and 4 states that he has
no objection, so also the counsel for defendant no.6 who states that he has
no objection.

4 I have considered the affidavit in support. The documents mentioned
in Exh.'A' to the chamber summons are already referred to in the plaint. The
averment with respect to documents at Sr.Nos.1 to 4 can be found in
paragraph 16 of the plaint and for documents mentioned at Sr.Nos.5, 6 and 7
in paragraph 7 of the plaint. Therefore, in my view, leave to bring those
documents on record is required to be granted.

5 The chamber summons is allowed in terms of prayer clause (a) and
accordingly disposed.

(K.R. SHRIRAM, J.)